

**FILED**

OA 91 Criminal Complaint

MAR 26 2008

**United States District Court**

NORTHERN

DISTRICT OF

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAUNITED STATES OF AMERICA  
V.**CRIMINAL COMPLAINT**

JAMES MICHAEL BURGE and PETER RAYMOND JUNEAU

Case Number:

3 08 70181

(Name and Address of Defendant)

**JCS**

I, the undersigned complainant being duly sworn state that the following is true and correct to the best of my knowledge and belief. On or about 11/5/07, 12/10/07, & 12/14/07 in San Francisco County, in the Northern District of California defendant(s) did,

(Track Statutory Language of Offense)

SEE ATTACHMENT HERETO

in violation of Title 18 United States Code, Section(s) 2 and 2113(a)

## Maximum Penalties:

20 years imprisonment, \$250,000 fine, 5 years supervised release, \$100 special assessment.

I further state that I am a(n) Special Agent, Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT MADE A PART HEREOF.

Continued on the attached sheet and made a part hereof:

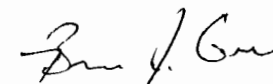
☒ Yes ☐ No

Approved

As To

Form: Owen P. Martikan

AUSA



Brian J. Guy, Special Agent, Federal Bureau of Investigation

Name/Signature of Complainant

Sworn to before me and subscribed in my presence,

Date

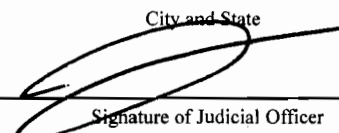
3/26/08at San Francisco, California

City and State

Hon. Joseph C. Spero

U.S. Magistrate Judge

Name &amp; Title of Judicial Officer

  
Signature of Judicial Officer

ATTACHMENT TO CRIMINAL COMPLAINT

COUNT ONE:

On or about November 5, 2007, in the City and County of San Francisco, in the State and Northern District of California, JAMES MICHAEL BURGE, did knowingly and by force, violence, and intimidation take from an employee of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California, approximately \$4,030 in U.S. Currency in the care, custody, control, management and possession of Trans Pacific National Bank, the deposits of which were and are insured by the Federal Deposit Insurance Corporation (FDIC), in violation of Title 18, United States Code, Section 2113 (a).

PENALTIES: 20 years in prison, \$250,000 fine, 5 years supervised release, \$100 Special Assessment.

COUNT TWO:

On or about December 10, 2007, in the City and County of San Francisco, in the State and Northern District of California, PETER RAYMOND JUNEAU, did knowingly and by force, violence, and intimidation take from an employee of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California, approximately \$2,350 in U.S. Currency in the care, custody, control, management and possession of Trans Pacific National Bank, the deposits of which were and are insured by the Federal Deposit Insurance Corporation (FDIC), in violation of Title 18, United States Code, Section 2113 (a).

PENALTIES: 20 years in prison, \$250,000 fine, 5 years supervised release, \$100 Special Assessment.

COUNT THREE:

On or about December 14, 2007, in the City and County of San Francisco, in the State and Northern District of California, JAMES MICHAEL BURGE, did aid and abet PETER RAYMOND JUNEAU, who did knowingly and by force, violence, and intimidation take from an employee of the Washington Mutual Bank, 100 Pine Street, San Francisco, California, approximately \$2,654 in U.S. Currency in the care, custody, control, management and possession of Washington Mutual Bank, the deposits of which were and are insured by the Federal Deposit Insurance Corporation (FDIC), in violation of Title 18, United States Code, Sections 2 and 2113 (a).

PENALTIES: 20 years in prison, \$250,000 fine, 5 years supervised release, \$100 Special Assessment.

STATE AND NORTHERN DISTRICT OF CALIFORNIA)

CITY AND COUNTY OF SAN FRANCISCO )

ss. AFFIDAVIT

I, Brian J. Guy, being duly sworn, depose and state:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in that capacity for approximately 17 years. My primary investigative assignment is the investigation of violent crimes, which includes bank robbery investigations. I have been the bank robbery coordinator for the San Francisco Division of the FBI for approximately ten years. I have investigated hundreds of bank robberies, reviewed over a thousand bank robbery cases, and viewed over a thousand bank surveillance photographs.

2. This affidavit is submitted in support of a criminal complaint against James Michael Burge, date of birth Xxx xx, 1957, and Peter Raymond Juneau, date of birth Xxx xx, 1968 on the grounds that each of them committed a violation of Title 18, United States Code, Section 2113 (a) - Unarmed bank robbery. The elements of this offense are as follows: (1) the defendant used force, violence, or intimidation; (2) in taking money belonging to a financial institution; and (3) the deposits of that financial institution were then insured by the Federal Deposit Insurance Corporation (FDIC).

3. This affidavit is also submitted in support of a criminal complaint against James Michael Burge on the grounds that Burge did aid and abet Peter Raymond Juneau, who did violate Title 18, United State Code, Section 2113 (a), and that in doing so Burge violated Title 18, United States Code, Sections 2 and 2113 (a).

4. In connection with my official duties, I have obtained the following information either through my investigation, other FBI Agents, San Francisco Police Department (SFPD) Officers, or San Bruno Police Department (SBPD) Officers.

5. In connection with my official duties, I have participated in the investigation of the robbery of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California on November 5, 2007; the robbery of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California on December 10, 2007; and the robbery of the Washington Mutual Bank, 100 Pine Street, San Francisco, California on December 14, 2007.

6. In addition to the robberies listed above, I have been investigating a series of robberies which started with the robbery of the Trans Pacific National Bank on November 5, 2007 and concluded with the robbery of the US Bank, 443 Castro Street, San Francisco, California on March 22, 2008. This series of robberies also includes bank robberies in Los Angeles, California and Seattle, Washington. A total of 19 related bank robberies are under investigation.

7. On November 5, 2007, at approximately 1:45 p.m, a lone white male adult, hereinafter referred to as the robber, approached a teller at the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California. The robber threw a piece of paper at the teller. The teller unfolded the note and realized it was a robbery demand note. The note said, "This is a robbery..." The note continued but the teller was afraid and unable to read the remainder of the note. Before the teller could finish reading the note, the robber said, "Don't look up. Don't look at your co-workers. I have a gun and I will use it. Give me fifties, hundreds, and twenties." The robber took back his demand note. The teller removed money from her cash drawer and placed it on the counter. The robber took the money and departed the bank. The teller observed the robber run across 2nd Street and go West through Stevenson Alley.

8. The teller provided the following description of the robber:

Race:	White
Sex:	Male
Height:	5'8"
Weight:	160 lbs.
Hair:	White
Eyes:	Unknown
Age:	Late 50's, early 60's
Clothing:	Blue baseball cap, black sunglasses, dark grey sweater
Misc:	Ruddy complexion, smoker, had an odor, rough voice

9. An audit conducted immediately after the robbery determined the bank suffered a loss of \$4,030. The deposits of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California are insured by the Federal Deposit Insurance Corporation (FDIC).

10. During the course of the robbery, digital bank surveillance cameras captured images of the robber. The teller reviewed these images and identified the man standing at the counter with the dark baseball cap, sunglasses, and dark sweater or sweatshirt as the person who robbed the bank.

11. On December 10, 2007, at approximately 11: 45 a.m., a lone white male adult, hereinafter referred to as the robber, entered the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California. The robber pulled out a demand note from his coat and laid it on the counter. The note said, "This is a robbery, I have a gun, be quiet." The teller read the note and became scared and went to her top cash drawer and started to remove the money. As the teller was removing the money, the robber made a comment about not giving him the bait money. The teller handed the money to the robber. The robber asked the teller for the bottom cash drawer. The teller told the robber she only had coins in the bottom cash drawer. The robber then turned and walked out of the bank. The teller saw the robber cross 2nd Street in the direction of Stevenson Alley.



12. The teller provided the following description of the robber:

Race:	White
Sex:	Male
Height:	5'11"
Weight:	Unknown
Build:	Slender, Medium
Age:	Late 20's to 30's
Facial Hair:	Clean shaven
Hair:	Unknown
Eyes:	Unknown
Clothing:	A black newsboy hat, black jacket, sunglasses

13. An audit conducted immediately after the robbery determined the bank suffered a loss of \$2,350. The deposits of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California are insured by the FDIC.

14. During the course of the robbery, digital bank surveillance cameras captured images of the robber. The teller reviewed these images and identified the man standing at the teller counter in a black hat and black jacket as the man who robbed the bank.

15. On December 14, 2007, at approximately 10:20 a.m., a lone White male adult, hereinafter referred to as the robber, entered the Washington Mutual Bank, 100 Pine Street, San Francisco, California and stood momentarily at the customer service counter. The robber then approached a teller where he produced a demand note. The note said, "Give me your money or I will shoot you. No dye packs or security devices or I will shoot." The teller, after reading the note, became scared. The teller went to the top cash drawer and removed the money and gave it to the robber. The robber then said, "Now the bottom drawer." The teller went to the bottom cash drawer and removed a little money and gave it to the robber. The robber took the money and walked out of the bank.

16. The teller provided the following description of the robber:

Race:	White
Sex:	Male
Height:	5'10"
Weight:	140 to 145 lbs.
Hair:	Brown
Eyes:	Unknown
Age:	30-35
Facial Hair:	Days growth of beard
Build:	Skinny
Clothing:	Black stocking cap, dark sunglasses, black jacket, thigh length

17. An audit conducted immediately after the robbery determined the bank suffered a loss of \$2,654. The deposits of the Washington Mutual Bank, 100 Pine Street, San Francisco, California are insured by the FDIC.

18. During the course of the robbery, digital bank surveillance cameras captured images of the robber. The teller reviewed these images and identified the man wearing a tan baseball cap, sunglasses, and a black jacket as the robber.

19. Following this robbery, SFPD Officer Robinson found a quilted black jacket in a trash can at the entrance to the Embarcadero BART station, and a tan baseball cap bearing a "Metro Golf" logo and sunglasses at the corner of Market Street and Front Street, also in a trash can.

20. Following the above bank robberies, a total of sixteen more bank robberies associated with two robbers were committed in San Francisco, Los Angeles, and Seattle. The robber who was described as being in his 50's during the robbery of the Trans Pacific National Bank robbery on November 5, 2007, was not seen in bank surveillance photographs during the bank robberies in Los Angeles and Seattle. The younger robber from the second Trans Pacific National Bank robbery on December 10, 2007 and the Washington Mutual Bank robbery on December 14, 2007 was seen in bank surveillance photographs from Los Angeles and Seattle. Based on my experience of viewing bank surveillance photographs, I believe the younger robber who wore the black jacket in the robberies in San Francisco committed three bank robberies in Los Angeles and three in Seattle. This is based on the description of the robber, the clothing worn by the robber, and the wording of the demand notes, all of which are similar to descriptions from the robberies in San Francisco.

21. On March 20, 2008, the Bank of America, 501 Castro Street, San Francisco was robbed. During this robbery, witnesses were able to see the license plate number of the getaway car used by the robber, and saw a driver waiting inside it. The car was a 2000 Silver Nissan Pathfinder, Illinois License Plate 4787435. This vehicle is registered to Michael Skates.

22. Following this robbery, SFPD Inspector Phillip Wong distributed a bulletin to surrounding law enforcement agencies regarding the vehicle used in the Bank of America robbery. On or about March 21, 2008, Inspector Wong was contacted by the SBPD Sergeant Haggerty who told him Michael Skates had been cited in the Silver Nissan Pathfinder on March 15, 2008. Sergeant Haggerty also told Inspector Wong that Skates was with another individual who provided a name of James Michael Davis, date of birth February 15, 1957, who was arrested for being under the influence of a controlled substance. However, before Davis was fingerprinted, he faked a heart attack and was taken to the hospital. Once at the hospital, Davis walked away. SBPD did take a photograph of Davis prior to him being taken to the hospital. Immediately upon viewing the photograph, I recognized the person as being the robber from the Trans Pacific National Bank robbery on November 5, 2007 as well as being the robber in nine (9) other bank robberies in San Francisco.

23. I conducted a routine inquiry using the name James Michael Davis, date of birth, February 14, 1957 but failed to locate anyone with that name and date of birth.

24. On March 21, 2008, Michael Skates was arrested by SFPD. Michael Skates is not the robber from the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California on December 10, 2007 or the robber from the Washington Mutual Bank, 100 Pine Street, San Francisco, California on December 14, 2007. This is based upon Skates' appearance and the appearance of the individual depicted in the bank surveillance photographs from those two robberies. Skates did admit to robbing a Bank of America at 680 -8th Street, San Francisco, California on March 17, 2008. .

25. During Skates' interview on March 21, 2008, Skates told me and Inspector Wong that the individual with him on March 15, 2008 in San Bruno, California was called Sonny and that he was from Texas. Skates said that he had met Sonny a month ago in the Mission District in San Francisco. Skates was shown bank surveillance photographs from a robbery at the Bank of America, 680 - 8th Street, San Francisco, California on March 10, 2008 and from the Bank of America, 445 Powell Street, San Francisco, California on February 28, 2008. Skates identified the person in those photographs as Sonny. Skates also admitted to driving Sonny in his vehicle in order for Sonny to commit a bank robbery. Skates could not provide the name of the bank or when it occurred. Skates is an admitted heroin addict.

26. On March 24, 2008, SFPD Officers Peter Richardson, Officer Sanchez, and Sergeant Furminger arrested the individual known as Sonny in the Prita Hotel, 2284 Mission Street, San Francisco, California. Following his arrest, Sonny, later identified as James Michael Burge, date of birth February 15, 1957, faked a heart attack and was taken to San Francisco General Hospital.

27. On March 24, 2008, Burge was released from the hospital and taken to the Hall of Justice, 850 Bryant Street, San Francisco, California to be interviewed. Prior to interviewing Burge, Burge was advised of his rights. Burge waived his rights and agreed to be interviewed.

28. Burge was told that he was believed to be responsible for eight to ten bank robberies that had occurred in San Francisco from November 2007 through March 2008 . Burge said that he robbed banks to support a heroin habit. Burge was shown the bank surveillance photograph from the robbery of the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California on November 5, 2007. Burge was asked, "Is that you" and he responded by saying, "Yes." Burge initialed and dated the back of the surveillance photograph signifying that he was depicted in the photograph. During the course of the interview, Burge initialed and dated seven other bank surveillance photographs that depicted him robbing banks. Burge admitted to robbing another bank in addition to the previous eight bank robberies during which he was photographed.

29. During Burge's brief hospitalization, Burge provided the name of Peter Juneau to Inspector Wong as being another bank robber. Upon obtaining Juneau's photograph from the California Department of Motor Vehicles, I immediately recognized him as being the bank robber from the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California on December 12, 2007.



30. Burge told investigators that he had met Juneau in August of 2007 while they were both staying at the Union Hotel in San Francisco. Burge said they were both heroin addicts and Juneau had a heroin connection. Juneau tried to teach Burge how to steal money from ATM machines, but Burge could never do it right. Juneau then told Burge he knew how to rob banks and had been taught by an older bank robber who was currently in federal prison. Burge said they then began to rob banks to support their heroin habit.

31. Burge was shown the bank surveillance photograph from the Trans Pacific National Bank, 55 - 2nd Street, San Francisco, California taken on December 10, 2007. This photograph depicts a white male adult, thin build, wearing a black news boy hat, black jacket, and sunglasses. Burge said the person in the photograph is Peter. Burge wrote on the back of the surveillance photograph, "This is Peter." Burge initialed and dated next to his statement.

32. Burge was shown the bank surveillance photograph from the Washington Mutual Bank, 100 Pine Street, San Francisco, California taken on December 14, 2007. This photograph depicts a white male adult wearing a tan "Metro Golf" baseball cap, black jacket, and sunglasses. Burge said the person in the photograph is Peter. Burge wrote on the back of the surveillance photograph, "This is Peter." Burge initialed and dated next to his statement. Burge said he bought the "Metro Golf" hat at a Goodwill Store and gave it to Peter to use to rob the bank.

33. Burge was shown eight other bank surveillance photographs depicting Juneau. Burge identified seven as being Juneau. Three of these robberies were in Los Angeles, California between December 28, 2007 and January 8, 2008. Three others were from Seattle, Washington between February 4, 2008 and February 28, 2008. Burge did not identify Juneau in one of the Seattle robberies.

34. Burge told investigators they took Amtrak down to Los Angeles, California because things were getting too "hot" in San Francisco and they were almost caught in the BART system after a robbery. This incident occurred after a robbery at the Citibank, 590 Market Street, San Francisco, California on December 18, 2007, when SFPD stopped the BART trains following the robbery in an attempt to locate the robber. Burge identified Juneau in the bank surveillance photograph from this robbery.

35. Burge told investigators that they left Los Angeles because the dope was "shit". Burge had previously worked in Seattle years ago and heard Seattle had good dope. Burge said that he and Juneau took Amtrak to Portland, Oregon where Juneau bought a car from the Salvation Army. Burge said Juneau also robbed a Key Bank in Portland and after the robbery met Juneau and went through the money and threw away the Electronic Security Device (ESD) in a trash can. Burge said the police were very close to catching both of them.

36. On March 26, 2008, I conducted an inquiry into bank robberies in Portland, Oregon that occurred at Key Bank. I located a robbery on January 18, 2008 at Key Bank, 444 SW 5th Avenue. The robber was described as a White male, 5'9" -5'10", 150 pounds, mid -20's with a white baseball cap, dark jacket, dark pants. The robber used a note saying, "This is a robbery, I want your 100's, 50's and 20's." The robber also told the teller that he did not want a tracker. Tracker is a term used for an ESD. However, the teller did give the robber an ESD, which was



later found by police in a trash can.

37. Burge said they left Portland and were driving to Seattle when they were arrested. Burge said he tried to provide a false name to the police officer because he knew he had an outstanding warrant from San Francisco. Juneau also had an outstanding warrant from San Francisco. The police officer eventually discovered who they were and they were both arrested. Burge said he was released a week later and took a Greyhound bus back to San Francisco. Juneau remained in custody. After Burge came back to San Francisco he started robbing banks again.

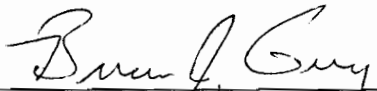
38. I conducted an inquiry with the State of Washington and learned that both Burge and Juneau were arrested on January 24, 2008 for being fugitives from San Francisco.

39. On March 25, 2008, Juneau was arrested by SFPD Officers Richardson and Sanchez on Capp Street in San Francisco. Juneau was taken to the Hall of Justice, 850 Bryant Street, San Francisco, California to be interviewed. Prior to interviewing Juneau, I advised him of his rights. Juneau told me he did not want to waive his rights and no interview of Juneau was conducted.

40. James Michael Burge is a white male adult, date of birth Xxxx xx, 1957, 5'9", 220 pounds, brown hair, blue eyes, FBI # 732854WA1.

41. Peter Raymond Juneau is a white male adult, date of birth Xxxx xx, 1968, 6'2", 140 pounds, black hair, brown eyes, FBI # 869797LB0.

42. Based upon the above information, there is probable cause to believe that James Michael Burge and Peter Raymond Juneau committed the offenses set forth in the Attachment to Criminal Complaint, unarmed bank robbery, and aiding and abetting in the commission of unarmed bank robbery.

  
BRIAN J. GUY, Special Agent  
Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME  
THIS 26<sup>th</sup> DAY OF MARCH 2008

  
HON. JOSEPH C. SPERO  
United States Magistrate Judge